

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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EDILANYI MABELL SURIEL MONTE DE
OCA, et al.,

Plaintiffs,

-against-

20 **CIVIL** 8442 (VSB)

JUDGMENT

AGAPITO DELA CRUZ, et al.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated May 31, 2022, the Court has reviewed Judge Cave's thorough and well-reasoned Report and Recommendation for clear error and, after careful review, found none. The Report and Recommendation is adopted in its entirety. Suriel is awarded \$187,494.00 in damages against the Defaulting Defendants, comprised on the following: (i) \$58,297.00 in unpaid minimum wages; (ii) \$30,450.00 in unpaid overtime wages; (iii) \$88,747.00 in liquidated damages; and (iv) \$10,000.00 in statutory damages; (2) Suriel is awarded \$22,126.63 in pre-judgment interest; (3) Suriel is awarded post-judgment interest pursuant to 28 U.S.C. § 1961; (4) Suriel is awarded attorneys' fees in the amount of \$62,498.00 and costs in the amount of \$400.00; (5) Suriel's claims against Acosta are DISMISSED without prejudice pursuant to Federal Rules of Civil Procedure 4(m) and 41(b); and (6) The Opt-in Plaintiffs' requests for damages, attorneys' fees, and costs be denied, and that the Opt-in Plaintiffs be DISMISSED without prejudice.; accordingly, the case is closed.

Dated: New York, New York

June 1, 2022

RUBY J. KRAJICK

BY:

Clerk of Court

K. mango

Deputy Clerk